

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one)

- ☐ original
- ☐ design
- (check one, if applicable)
- ☒ national stage of PCT
- ☐ supplemental
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

HERNIA MESH TACKS

**SPECIFICATION IDENTIFICATION**

the specification of which: (complete (a), (b) or (c))

- (a) ☒ is attached hereto.
- (b) ☐ was filed on \_\_\_\_\_ as ☐ Serial No. \_\_\_\_\_  
or ☐ Express Mail No., as Serial No. not yet known \_\_\_\_\_  
and was amended \_\_\_\_\_ (if applicable).
- (c) ☒ was described and claimed in PCT International Application No. PCT/US03/18739 filed on 11 June 2003 and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

**FOREIGN PRIORITY CLAIM**

☐ I hereby claim foreign priority benefits under Title 35, U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) ☒ no such applications have been filed.

(e) ☐ such applications have been filed as follows

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

COUNTRY	APPLICATION NO.	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

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**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. §120**

☒ I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or PCT international application(s) designating the United States of America that are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §120, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Prior U.S. Application(s) or PCT International Application(s) Designating the U.S. For Benefit Under 35 U.S.C. §120.

**U.S. APPLICATIONS**

Serial No.	Filing Date	Status (issued, pending or abandoned)
60/388,119	11 June 2002	Abandoned

**PCT APPLICATIONS DESIGNATING THE U.S.**

PCT Application No.	PCT filing date	U.S. Serial Nos. assigned (if any)	Status (patented, pending, abandoned)
PCT/US03/18739	11 June 2003		Pending

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

**DAVID KORIS**, Reg. No. 30,908; **DOUGLAS E. DENNINGER**, Reg. No. 31,752; **MARK FARBER**, Reg. No. 34,159; **KIMBERLY V. PERRY**, Reg. No. 43,612; and **PAUL AUDET**, Reg. No. 26,439 each of them of United States Surgical, a division of TYCO HEALTHCARE GROUP LP, 150 Glover Avenue, Norwalk, Connecticut 06856.

**DAVID M. CARTER**, Reg. No. 30,949; **PETER DELUCA**, Reg. No. 32,978; **JEFFREY S. STEEN**, Reg. No. 32,063; **JOSEPH W. SCHMIDT**, Reg. No. 36,920; **RAYMOND E. FARRELL**, Reg. No. 34,816; **RUSSELL R. KASSNER**, Reg. No. 36,183; **CHRISTOPHER G. TRAINOR**, Reg. No. 39,517; **GEORGE LIKOUREZOS**, Reg. No. 40,067; **EDWARD C. MEAGHER**, Reg. No. 41,189; **FRANCESCO SARDONE**, Reg. No. 47,918; **HECHTEL LEE GROSSKREUZ**, Reg. No. 48,900; **BRUSSEL, DANA**, Reg. No. 45,717; **LOEFFLER, JAMES**, Reg. No. 37,873, each of them of CARTER, DELUCA, FARRELL & SCHMIDT LLP, 445 Broad Hollow Road, Suite 225, Melville, New York 11747.

**Send Correspondence to**

Paul R. Audet  
U.S. Surgical, a division of  
Tyco Healthcare Group LP  
150 Glover Avenue  
Norwalk, Connecticut 06856


**Direct Telephone Calls To:  
(Name and telephone number)**

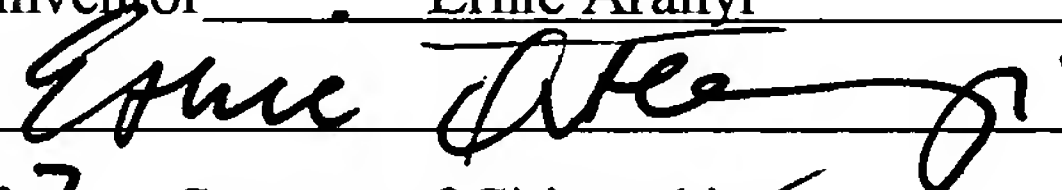
Paul R. Audet  
(203) 845-1480

# DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

1-00 Full name of sole or first inventor Christopher J. Criscuolo  
 Inventor's signature   
 Date 10/3/03 Country of Citizenship U.S.A.  
 Residence 10 Fitzgerald Lane, Branford, Connecticut 06405 CT / USX  
 Post Office Address 10 Fitzgerald Lane, Branford, Connecticut 06405

2-00 Full name of second inventor Ernie Aranyi  
 Inventor's signature   
 Date 10-3-03 Country of Citizenship U.S.A.  
 Residence 170 Stepney Road, Easton, Connecticut 06612 CT / USX  
 Post Office Address 170 Stepney Road, Easton, Connecticut 06612

Full name of third inventor \_\_\_\_\_  
 Inventor's signature \_\_\_\_\_  
 Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Post Office Address \_\_\_\_\_

Full name of fourth inventor \_\_\_\_\_  
 Inventor's signature \_\_\_\_\_  
 Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Post Office Address \_\_\_\_\_

[ ] Check here for added signature pages for subsequent inventors. Number of added pages is \_\_\_\_.

Docket No. 2832

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher J. Criscuolo, et al.  
Serial No.: To Be Assigned Examiner: To Be Assigned  
Filed: Concurrently Herewith Art Unit: To Be Assigned  
For: HERNIA MESH TACKS

Revocation and Substitute Power of Attorney

Commissioner for Patents  
Po Box 1450  
Alexandria, VA 22313-1450

Sir:

Tyco Healthcare Group LP, as assignee of the entire interest in the above patent application, hereby revokes all Powers of Attorney previously given in this case and hereby appoints, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith,

**DONALD L. WEBBER**, Reg. No. 34,275; **MARK FARBER**, Reg. No. 34,159; **PAUL AUDET**, Reg. No. 26,439; **KIMBERLY V. PERRY**, Reg. No. 43,612; and **LISA J. MOYLES**, Reg. No. 40,737; each of them of United States Surgical, a division of **TYCO HEALTHCARE GROUP LP**, 150 Glover Avenue, Norwalk, Connecticut 06856.

**DAVID M. CARTER**, Reg. No. 30,949; **PETER DELUCA**, Reg. No. 32,978; **RAYMOND E. FARRELL**, Reg. No. 34,816; **JOSEPH W. SCHMIDT**, Reg. No. 36,920; and **RUSSELL R. KASSNER**, Reg. No. 36,183; each of them of **CARTER, DELUCA, FARRELL & SCHMIDT LLP**, 445 Broad Hollow Road, Suite 225, Melville, New York 11747.

Send correspondence to:  
Lisa J. Moyles,  
Senior Patent & Trademark Counsel  
U.S. Surgical, a division of  
Tyco Healthcare Group LP  
150 Glover Avenue  
Norwalk, CT 06856

Direct telephone calls to:  
Lisa J. Moyles  
(203) 845-1941

Dated: 12/7/2004By: 

Alan R. Carlton  
Assistant Secretary

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